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General Assembly
Fifty-eighth session
Agenda items 71, 72, 73 (a), (c), (d), (f), (p), (q), (s), (t), (x) and (z) and 74 (f)

Security Council
Fifty-eighth year

Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

Prevention of an arms race in outer space

General and complete disarmament: notification of nuclear tests; reduction of non-strategic nuclear weapons; towards a nuclear-weapon-free world: the need for a new agenda; promotion of multilateralism in the area of disarmament and non-proliferation; implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction; transparency in armaments; conventional arms control at the regional and subregional levels; nuclear disarmament; reducing nuclear danger; United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament

Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly: Convention on the Prohibition of the Use of Nuclear Weapons

Letter dated 11 November 2003 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General

On the assumption by Chile of the chairmanship of the International Code of Conduct against Ballistic Missile Proliferation, also known as the Hague Code of Conduct, for the period from October 2003 to October 2004, I have the honour to transmit the attached letter from the Minister for Foreign Affairs of Chile, reporting on the current activities of the Hague Code of Conduct and the results of the second regular meeting of subscribing States, held at the United Nations in New York on 2 an 3 October 2003 (see annex).

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I should be grateful if you could arrange for the present letter and its annex to be circulated as a document of the fifty-eighth session of the General Assembly, under agenda items 71, 72, 73 (a), (c), (d), (f), (p), (q), (s), (t), (x) and (z) and 74 (f) and of the Security Council.

(*Signed*) Heraldo **Muñoz**
Ambassador
Permanent Representative

Annex to the letter dated 11 November 2003 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General

[Original: Spanish]

Letter dated 5 November 2003 from the Minister for Foreign Affairs of Chile addressed to the Secretary-General

I have the honour to write to you on behalf of the 109 States signatories to the International Code of Conduct against Ballistic Missile Proliferation, also known as the Hague Code of Conduct, on the assumption by Chile of the annual chairmanship of this new multilateral political entity in the field of international security and disarmament.

As the Minister for Foreign Affairs of the Netherlands informed you on 30 January 2003, the Hague Code of Conduct (the text of which has been circulated as document A/57/724) was opened for signature in the Dutch capital on 25 November 2002, following a process of discussion and negotiation that was open to participation by all States concerned at the proliferation of ballistic missiles capable of delivering weapons of mass destruction. I am pleased to note that the subscribing States include States from all the regional groups recognized in the United Nations system, including 47 members or observers of the Movement of Non-Aligned Countries.

The States signatories to the Code, fully committed to the Charter of the United Nations, have proposed to confront the threats to security posed by the increasing proliferation of ballistic missiles capable of delivering weapons of mass destruction. Our goal is to curb and prevent the proliferation of ballistic missiles capable of delivering weapons of mass destruction, both at the global and regional levels, through multilateral, bilateral and national endeavours. The Hague Code of Conduct does not, however, exhaust the possible responses to these threats and, as a political mechanism, can coexist with other multilateral initiatives and mechanisms designed to achieve the same goal.

The Hague Code of Conduct operates as a standard-setting mechanism of a political nature. The obligations set out therein are politically binding and are designed, inter alia, to strengthen and promote the universality of all multilateral instruments and mechanisms for disarmament and non-proliferation, as specifically described in paragraph 2 of its operative part, which sets out the broad principles of the instrument.

The Code seeks to promote global security through political and diplomatic means, and the transparency measures set out in paragraph 4 represent the concrete contribution that subscribing States are currently making to international confidence-building.

The transparency and confidence-building measures implemented under the Code consist of: (a) the provision of information on any ballistic missile and expendable space launch vehicle programmes that may exist in subscribing States; and (b) pre-launch notifications for missiles and rockets covered by the Code. These confidence-building measures do not exclude others that subscribing States might

have agreed on previously or that they may develop or promote at the regional or bilateral level.

At the same time, subscribing States have undertaken to exercise maximum possible restraint in the development, testing, and deployment of ballistic missiles capable of delivering weapons of mass destruction. This commitment also includes, to the extent possible, the reduction of national stocks of such missiles for the promotion of international peace and security.

The subscribing States have also pledged to exercise the necessary vigilance to ensure that technical assistance and cooperation programmes do not contribute, even inadvertently, to the development of missile programmes associated with the development of weapons of mass destruction.

Without prejudice to the foregoing, the subscribing States adhere to the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries, adopted by the General Assembly in resolution 51/122, of 13 December 1996.

The subscribing States also agree that States should not be excluded from access to the benefits of space for peaceful purposes.

The Code has established a permanent secretariat, the immediate Central Contact, with services provided by the Government of Austria, through its Ministry of Foreign Affairs in Vienna.

The Hague Code of Conduct held its second regular meeting of subscribing States in New York on 2 and 3 October 2003, in tandem with the commencement of the work of the First Committee. The meeting was preceded by an outreach seminar also organized in New York by the outgoing chair, at which information was provided on the objectives, scope and mechanisms of our instrument, and an invitation was again extended to all those States that have not already done so to subscribe to the Code.

At the second regular meeting the subscribing States:

(a) Noted with satisfaction the increase in membership;

(b) Held a very fruitful discussion on the standardization and qualitative improvement of the annual declarations and pre-launch notifications of ballistic missiles and space launch vehicles with a view to the further enhancement of these transparency measures;

(c) Agreed on a mechanism for the timely circulation of communications related to confidence-building measures; and

(d) Agreed on a strategy of cooperation within the United Nations system that includes, inter alia, the submission of this activities report to you and extending an invitation to the United Nations Secretariat to participate as a special observer in the third regular meeting of subscribing States, which will take place in 2004 at a time and place to be determined.

The Hague Code of Conduct has thus completed its initial phase of consolidation, and is now entering into a phase of gradual strengthening of its political mechanisms and instruments, guided by flexible criteria.

I wish to conclude by assuring you that the subscribing States, in deciding to present this report, are motivated both by their multilateral mission, and by their spirit of transparency, and look forward to the early establishment of active ties of cooperation with the United Nations.

(*Signed*) María Soledad **Alvear Valenzuela**